

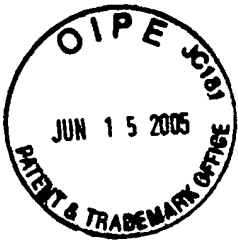
06-17-05

PATENT

Customer No. 22,852

Attorney Docket No. 07451.0004-02

Intertrust Ref. No. IT-6.1.1 (US)



**CERTIFICATE OF EXPRESS MAILING NO. EV 727 732 286 US**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop AMENDMENT, on this day June 15, 2005.

By

Rebecca M. Whitelock

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Karl L. GINTER

Application No.: 09/632,944

Filed: August 4, 2000

For: TRUSTED AND SECURE  
TECHNIQUES, SYSTEMS AND  
METHODS FOR ITEM DELIVERY  
AND EXECUTION

) Confirmation No.: 2078

) Group Art Unit: 2132

) Examiner: Justin T. DARROW

**Mail Stop - AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure

Statement is accompanied by authorization to charge the fee of \$180.00 as specified by Section 1.17(p), to Deposit Account No. 06-0916.

Each document listed in this Information Disclosure Statement was first cited in a communication from the Japanese Patent Office in a counterpart foreign application.

Copies of the listed foreign and non-patent literature documents are attached. English language translations, summaries or abstracts of most of the non-English documents are attached to each respective reference. Additionally, no English language translations or abstracts are available for two of the cited references, C1 and C6 on the attached form PTO/SB/08. In lieu of a statement of relevance or translation of these references, English language versions of two Office Actions from the Japanese Patent Office citing these references and setting forth the relevance thereof are enclosed.

Applicant respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

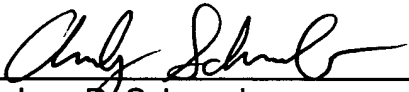
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Please charge the fee of \$180.00 to our Deposit Account No. 06-0916. Please grant any extensions of time required to enter this Information Disclosure Statement and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 15, 2005

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|---|---|----------------------|------------------|---|--|
| IDS Form PTO/SB/08: Substitute for form 1449A/PTO<br><br><div style="text-align: center;"> <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br/>         (Use as many sheets as necessary)       </div> |   |                      |                  | <b>Complete if Known</b>                |  |
|   |   | Application Number   | 09/632,944       |   |  |
|   |   | Filing Date          | August 4, 2000   |   |  |
|   |   | First Named Inventor | Karl L. GINTER   |   |  |
|   |   | Art Unit             | 2132             |   |  |
|   |   | Examiner Name        | Justin T. DARROW |   |  |
| Sheet   | 1 | of                   | 2                | Attorney Docket Number 07451.0004-02000 |  |

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

| FOREIGN PATENT DOCUMENTS |                       |   |                                |  |  |                          |
|--------------------------|-----------------------|---|--------------------------------|--|--|--------------------------|
| Examiner Initials        | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures<br>Appear | Translation <sup>4</sup> |
|                          |                       | Country Code <sup>1</sup> Number <sup>2</sup> Kind Code <sup>3</sup> (if known) |                                |  |  |                          |
|                          |                       | JP 01 248891 A  | 10-04-1989                     |  |  | Abstract only            |
|                          |                       | JP 01 296363 A  | 11-29-1989                     |  |  | Abstract only            |
|                          |                       | JP 01 68853 A   | 03-14-1989                     |  |  | Abstract only            |
|                          |                       | JP 04 117548 A  | 04-17-1992                     |  |  | Abstract only            |
|                          |                       | JP 04 504794  | 08-20-1992                     |  |  | Abstract only            |
|                          |                       | JP 05 173892 A  | 07-13-1993                     |  |  | Abstract only            |
|                          |                       | JP 05 258463 A  | 10-08-1993                     |  |  | Abstract only            |
|                          |                       | JP 06 152585 A  | 05-31-1994                     |  |  | Abstract only            |
|                          |                       | JP 06 161719 A  | 06-10-1994                     |  |  | Abstract only            |
|                          |                       | JP 06 250924  | 09-09-1994                     |  |  | Abstract only            |
|                          |                       | JP 06 501120  | 01-27-1994                     |  |  | Abstract only            |
|                          |                       | JP 07 319681 A  | 12-08-1995                     |  |  | Abstract only            |
|                          |                       | JP 61 121145 A  | 06-09-1986                     |  |  | Abstract only            |
|                          |                       | JP 63 129564 A  | 06-01-1988                     |  |  | Abstract only            |
|                          |                       | JP 63 289646 A  | 11-28-1988                     |  |  | Abstract only            |

| NON PATENT LITERATURE DOCUMENTS |                       |   |                          |
|---------------------------------|-----------------------|---|--------------------------|
| Examiner Initials               | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation <sup>6</sup> |
|                                 | C1                    | "Information Society Facing a Turning Point, Information Flood, How to Stand Against Flood of Copies," <i>Nikkei Byte</i> , 92:316-319, 1991.   | Unavailable              |
|                                 | C2                    | GARRETT et al., "Toward an electronic Copyright Management System," <i>J. of the Amer. Soc. for Info.</i> , 44(8):468-473, 1993.  | Yes                      |
|                                 | C3                    | KOZUKA et al., "Electronic Magazine Editing Software for 3DO," <i>National Technical Report, Matsushita Electric Industrial Co., Ltd.</i> , 40(6):88-97, 1994.  | Abstract only            |

Complete if Known

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

|       |   |    |   |                    |            |
|-------|---|----|---|--------------------|------------|
| Sheet | 2 | of | 2 | Application Number | 09/632,944 |
|-------|---|----|---|--------------------|------------|

|                        |                  |
|------------------------|------------------|
| Filing Date            | August 4, 2000   |
| First Named Inventor   | Karl L. GINTER   |
| Art Unit               | 2132             |
| Examiner Name          | Justin T. DARROW |
| Attorney Docket Number | 07451.0004-02000 |

## NON PATENT LITERATURE DOCUMENTS

|    |  |               |
|----|--|---------------|
| C4 | ROZENBLIT, Moshe, "Secure Software Distribution," <i>IEEE Network Operations and Management Symposium</i> , 2:486-496, 1994.   | Yes           |
| C5 | SEKI et al., "A Proposal for New Software Distribution System Using a Secret Code," <i>Research Report of Information Processing Societies</i> , 93(64):19-28, 1993.                     | Abstract only |
| C6 | TERADA, Minoru, "Exhausting Software," <i>bit</i> , Kyoritsu Shuppan Co., Ltd., 26(10):12-18, 1994.  | Unavailable   |
| C7 | TORII et al., "System Architecture for Super Distribution," <i>Technical Research Report of Institute of Electronics, Information and Communication Engineers</i> , 94(240):59-66, 1994. | Abstract only |
| C8 | UEKI et al., "Accounting Processing in Right Management Mechanism for Super Distribution," <i>Study Report of Information Processing Societies</i> , 90(1):1-10, 1990.                   | Abstract only |

|                    |  |                 |  |
|--------------------|--|-----------------|--|
| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.